



October 24, 2006

**Addendum #1 for RFP# 070803 ESD,
Cooling Tower and Industrial Use Consultant Services**

The purpose of this addendum is to respond to submitted questions.

All other specifications, terms and conditions of this RFP not addressed by this or other formal addenda issued by the City of San Jose are unchanged.

1. How many sites is Task #1 referring to?

There are five (5) industrial sites being considered for converting to recycle water from a long list of potential industrial users compiled.

2. We interpret Task #2 to be a general template, design guidelines and P&ID applicable to all industrial uses. Is this correct or does a different template, design guidelines and P&ID have to be created for each type of recycled water usage?

This task is to develop general guidelines for all industrial customers to use. The guidelines must be sufficiently complete for obtaining California Department of Public Health approval.

3. We interpret the “as-needed” in Task #3 to be limited by the not-to-exceed budget. Is this correct?

The term “as needed” means “not to exceed” and only as directed by City staff.

4. If we are the City’s consultant, are we precluded from offering our assistance to City and South Bay Water Recycling customers to implement the recommendations?

The selected consultant *may* be precluded from submitting proposals or bids as a prime contractor or subcontractor for any future procurement **with the City** if the Specifications for such procurements developed or influenced by the work performed under the agreement resulting from this RFP. The determination as to whether the selected consultant *will* be precluded from bidding or proposing on future procurements will depend on the final scope of work.

If the nature of the work performed by the selected consultant is such that it would give, or appear to give, the selected consultant a competitive advantage in a future procurement, the City may preclude the selected consultant from submitting a bid as a prime contractor or subcontractor for such future procurement. To the extent that the selected consultant is only involved in preparing foundational reports or studies that are subsequently used by others to prepare project design documents, the selected consultant will most likely not be precluded from bidding or proposing on such projects.

END OF ADDENDUM